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# MAPPING THE TRENDS OF THE FAMILY INSTITUTION: A COMPARATIVE LITERATURE REVIEW

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## Abstract

*The article reviews relevant literature to track changes in the family institution by utilizing a comparative approach between Western and Muslim families. The purpose of this method is to map trends in the last five decades and to identify gaps, if any, between the two modern-day family institutions. The article in its introduction, reviews literature that emphasizes on the significance of the family institution as the nucleus of civilization. The second part of the article continues with a review of important works that focus on the challenges in postmodern family life. The main question is whether the family institutions in the Western and Muslim worlds respond differently when faced with the same challenges. The third part of the paper concludes with solution-based familism literature from both jurisdictions that concentrates on empowerment of family institutions. Drawing on these relevant literatures, we find that despite all these changes, values remain an important constant in stabilizing the family institution.*

**Keywords:** Comparative approach, Postmodern roles, Families, Traditional duties, Evolution of gender roles, Transformation, Family institution

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## Introduction

Methods of strengthening the family have remained a subject of both extreme importance as well as great challenges due to its evolving nature. Aside from the obvious rationale, the significance of the family as the nucleus of civilization continues to occupy and concern religious teachings, political notions, as well as legal and social entities at the local and global level.

The subject of family and its changing nature<sup>3</sup> that affect the institution from traditional families (with extended members) to modern families (nuclear family) have been extensively studied. Aveldanes, Pfeffer and Augustine<sup>4</sup> stated that researchers typically hold the same view that modernism<sup>5</sup> concentrates on defying norms and values. In many parts of the world, literature records the so-called “social progress” in terms of evolution of the traditional roles of husband and wife in the last 50 years to a more egalitarian model.

Ogburn and Nimkoff<sup>6</sup> confirmed that the family institution has changed tremendously in the past and has assumed many different forms and functions. Despite these radical changes, the family has continued to exist. The question that arises in this article is whether the Muslim family institution, when faced with the same challenges would respond differently from a Western one.

Against the above backdrop, the second part of this article explores literature on the challenges faced by postmodern family life that occur in both the Western and Muslim world alike.

The third part of the paper concludes with solution-based literature, concentrating on empowerment of family institutions

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<sup>3</sup> M. Anokhi describes that the family institution is a ‘social product’ that is constantly changing and transforming. M. Anokhi, “Difference between modern family and traditional family”. Psychology Discussion. Retrieved April 4, 2020, from <http://www.psychologydiscussion.net/difference-between/difference-between-modern-family-and-traditional-family-psychology/13671>

<sup>4</sup> J.M. Aveldanes, C.A. Pfeffer, & J. Augustine, “Postmodern families.” Oxford Bibliographies Online, 2018. doi:10.1093/obo/9780199756384-0159

<sup>5</sup> A time span from the late nineteenth century to mid-twentieth century.

<sup>6</sup> W.F. Ogburn & M. F. Nimkoff, *A Handbook of Sociology* (London: Kegan Paul, Trench, Tubner and Co., 1947).

especially in relation to gender role transformation. Drawing on these relevant literatures from the 1970s to the 21st century, we find that values are an important variable in stabilizing the family institution.

The methodology used to derive the conclusions is based on reviews of relevant literature to track differences in the family institution by utilizing a comparative approach between Western and Muslim families. The purpose of this method is to map trends and patterns in the last five decades to identify gaps between the two family institutions.

Following this time period, the paper has highlighted significant changes to the Western and Muslim families as a result of identifying those gaps in both jurisdictions. The transformation of roles is one of the important trends that needs to be prioritized in problem-solving strategies. The right way forward in proposing a transformation after mapping the changes should be towards empowerment of the family. Empowerment-oriented interventions have been identified as a mechanism that can enhance wellness and at the same time are targeted at resolving problems, giving the chance for members to obtain information and proficiencies, and to collaborate with experts as partners. After mapping the changes, this article has found that family dynamics are moving in many directions but for the survival of the institution, it must be based upon ethical principles and values.

### **Challenges to Family Life**

A cursory survey of important literature on the family institution shows that this subject has become a multi-coloured spectrum due to fresh challenges. The postmodern family as defined by Kendall is “*permeable*- a more fluid and pliable form of the nuclear family that is characterized by larger variations in family structures.”<sup>7</sup> Like many other postmodern family literature, the variations in family structures are generally caused by divorce or parental separation, remarriage, cohabiting parents, single-parenthood, as well as families

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<sup>7</sup> Diana Kendall, *Sociology in Our Times*, 11th Edition (Cengage Learning: Australia, 2017) 435.

with children living with their grandparents.

Moving towards the 21st century, a part of the literature predicts several phenomena which were later found to be accurate. In the context of the United States (US), Wisensale<sup>8</sup> predicts that legislators, scholars and family life instructors will have to face three significant trends that threaten the family's future survival and stability. He describes the trends of changes in family in terms of structure and composition such as mother's employment, high rate of divorce and single parent households, as well as rise in age at first marriage.

Cowan & *et al.*<sup>9</sup> propose that family research in the 1990s be based on a theoretical approach in the study of family relations and deem that for the next ten years, this study will benefit from recognizing the complexity and diversity of family types with regard to ethnicity and cultural values, phases of family life and retrospective cohorts. They note that this is a period when family life is treasured but fragmented and somewhat lacking in the back up from society's institutions.

Other relevant literature also points out that three decades after the 1960s, the deterioration of marriage and the upsurge of lone-parent families are the most decisive shifts in evolution that have affected the family institution in postmodernism Europe. Burguière<sup>10</sup> observes the reduction in religious marriages and describes it as an abiding trend associated with the decrease in religious practices and less restrictive religious attitudes. He also notes a growing fascination for living together outside marriage amongst young people.

Despite the family institution being in decline and under

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<sup>8</sup> Steven K. Wisensale, 'Toward the twenty-first century: family change and public policy,' *Family Relations*, Vol. 41, No. 4 (1992): 417-422 <<https://www.jstor.org/stable/585584>>

<sup>9</sup> Philip A. Cowan, Dorothy Field, Donald A. Hansen, Arlene S. Skolnick, Guy E. Swanson (eds.), *Family, Self, and Society* (New York: Routledge, 1993), <<https://doi-org/10.4324/9781315807188>>

<sup>10</sup> André Burguière, *Historical Foundations of Family Structures in The European Family*, Jacques Commaille and François de Singly (eds.) (Springer: Dordrecht, 1997), 103-117, <[https://doi-org/10.1007/978-94-015-8857-7\\_7](https://doi-org/10.1007/978-94-015-8857-7_7)>



attack, Berger<sup>11</sup> predicts that the modern family in the future will subsist as a vital social institution and points out that there must be a proper understanding of the concept of modernization as denoting change in the economic, political and social structures of society, as well as change in the structure of people's consciousness, namely, their ideas, values and norms.

Krause and Meyer,<sup>12</sup> Coontz,<sup>13</sup> Hodder,<sup>14</sup> Smith<sup>15</sup> and that of Hull, Meier and Ortyl<sup>16</sup> confirm that marriage and family life has undergone tremendous change over the decades in terms of structures and values, as well as their relationship to larger social and economic institutions. The values of children and values for children have shifted, and gender roles within marriage have become less traditional and more egalitarian due to postmodernism. In addition, Coontz<sup>17</sup> and Hodder<sup>18</sup> note that Canada and the US State of Massachusetts legally recognize same-sex marriage from 2003 and 2004 respectively. They point out that the demand for legal recognition of this kind of marriage is not the cause but a symptom of how much and how irrevocably marriage has transformed. These literatures also note that the changes reflect the shift from the

<sup>11</sup> Brigitte Berger, *The Family in the Modern Age* (New York: Routledge, 2002), <<https://doi-org/10.4324/9781315132006>>

<sup>12</sup> Harry D. Krause and David D. Meyer, 'What family for the twenty-first century?' *The American Journal of Comparative Law*, Vol. 50, Supplement: American Law in a Time of Global Interdependence: U. S. National Reports to the 16th International Congress of Comparative Law (2002): 101-120 <<https://www.jstor.org/stable/840873>>

<sup>13</sup> Stephanie Coontz, 'The world historical transformation of marriage,' *Journal of Marriage and Family*, vol. 66, no. 4 (2004): 974-979.

<sup>14</sup> Harbour Fraser Hodder, 'The future of marriage,' *Harvard Magazine*, November-December 2004, <https://harvardmagazine.com/2004/11/the-future-of-marriage.html> viewed on 26 April 2019.

<sup>15</sup> Tom W. Smith, *Changes in Family Structure, Family Values, and Politics, 1972-2006*, National Opinion Research Center, University of Chicago, December, 2007, Revised February, 2008, GSS Social Change Report No. 53 <<http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.498.1880&rep=rep1&type=pdf>> viewed on 21 April 2019.

<sup>16</sup> Kathleen E. Hull, Ann Meier, and Timothy Ortyl, 'The changing landscape of love and marriage,' *Contexts*, Vol. 9, No. 2, (2010): 32-37.

<sup>17</sup> Coontz, 'The world historical transformation.'

<sup>18</sup> Hodder, 'The future of marriage.'

traditional family and its values to the emerging modern family and a new set of values for the postmodern family. Significantly, they believe that although marriage has evolved and changed it will not disappear and may not regain its former status.<sup>19</sup>

Outside the US, Höhn, Avramov and Kotowska<sup>20</sup> use a demographic approach in investigating attitudes towards the changing family values in Central and Eastern Europe, and how these attitudes are impacted by the ideational factors associated with the individualistic, secular values and women's liberation. They also note that married life is not the unopposed living arrangement anymore even though it continues to be the prevailing family form in most countries, and records the upsurge of divorce and separation.

Tarrant<sup>21</sup> also observes “new” or “post-nuclear” “flexible” family forms such as gay, divorce-extended and transnational families. He uses historical and materialist arguments linking the changes within the family to the fundamental shifts in material and labour relations in global capitalism since the 1960s due to postmodernism.

### **Evolution of Gender Roles**

In general, the traditional paternal role still prevails in many countries where the father is expected to be the breadwinner within the family institution and to play a supportive role in childcare. However, role patterns and expectations started to change after World War II, when women became breadwinners replacing men who went to war. With industrialization, both men and women became dual earners in a family structure. Buric<sup>22</sup> assesses the

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<sup>19</sup> The limitation of these works is that the views expressed do not go beyond the transformation of marriage and family in the US.

<sup>20</sup> Charlotte Höhn, Dragana Avramov, Irena E. Kotowska (eds.), ‘People, population change and policies,’ *European Studies of Population*, Vol. 16/1 (2018), Springer, Dordrecht, <<https://doi-org/10.1007/978-1-4020-6609-2>>

<sup>21</sup> Julie P. Tarrant, *The Material Family. Transgressions* (Cultural Studies and Education), Vol 74. Sense Publishers, Rotterdam, 2011 <[10.1007/978-94-6091-630-4](https://doi-org/10.1007/978-94-6091-630-4)>

<sup>22</sup> Olivera Burić, IX the Impact of Maternal Employment Upon the Family. *Current*

maternal employment effects against the perspective of boosting the levels of family life in order for family bonds to be strengthened.

Europe has seen a growth in female employment in recent decades, and Björnberg<sup>23</sup> observes that the justification for the growth is partly based on economic grounds and the need for two wage earners in families with children to maintain decent living conditions. In addressing female employment and the evolution of roles in family life, Rubellin-Devichi<sup>24</sup> notes that family policies seek to let women's autonomy decide the number of children they want whether or not they participate in the market labour. Additionally, Jagger and Wright<sup>25</sup> explore the traditional values in the family and by what means they are seen as being under threat in modern society. The issue of gender roles and changing perspectives on marriage is also found in the works of Ogletree.<sup>26</sup> She points out the impacts of changes in gender roles on the distribution of work and domestic duties between married couples and that societal changes, religious beliefs and increasing levels of education may have repercussions on marital gender roles. Oláh, Kotowska and Richter<sup>27</sup> emphasize the vital role of the reverse of the gender gap in educating the establishment of partnership and fertility. They observe that the growing significance of women as wage earners is confronted by the changing gender roles in the transition to

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Sociology, Vol. 12, No. 1, (1963): 82–92 < <https://doi.org/10.1177/001139216301200111> >

<sup>23</sup> Ulla Björnberg, “Cultural and Political Limits to the Transformation of Family Roles”, in *The European Family*, edited by J. Commaille & F. de Singly (Springer: Dordrecht, 1997), 167-179 <[https://doi-org/10.1007/978-94-015-8857-7\\_12](https://doi-org/10.1007/978-94-015-8857-7_12)>

<sup>24</sup> Jacqueline Rubellin-Devichi, “Family law: the continuity of national characteristics”, in *The European Family* edited by J. Commaille & F. de Singly (Springer: Dordrecht, 1997), 45-60 <[https://doi-org/10.1007/978-94-015-8857-7\\_3](https://doi-org/10.1007/978-94-015-8857-7_3)>

<sup>25</sup> Gill Jagger & Caroline Wright (eds.), *Changing Family Values* (London: Routledge, 1999) < <https://doi-org.ezproxy.um.edu.my/10.4324/9780203479582> >

<sup>26</sup> Shirley M. Ogletree, “Gender role attitudes and expectations for marriage”, *Journal of Research on Women and Gender*, Vol. 5, (2015): 71-82: <https://www.researchgate.net/publication/281212565>, viewed on 21 April 2019.

<sup>27</sup> Livia Sz. Oláh, Irena E. Kotowska, Rudolf Richter, “The New Roles of Men and Women and Implications for Families and Societies”, in *A Demographic Perspective on Gender, Family and Health in Europe* edited by Gabriele Doblhammer & Jordi Gumà (Springer: Cham, 2018), 41-64 <<https://doi.org/10.1007/978-3-319-72356-3>>

parenthood, particularly rights to and use of leave by fathers and shared childrearing.

Other than maternal employment, changes in gender roles also reflect the father's increasing involvement in parenting. Carlson<sup>28</sup> investigates the paternal participation in mediating the effect of family structure on adolescent behaviour. She notes that the act of living separately from the birth father is often connected with grave repercussions and harmful effects on young people.

Mc Bride & *et al.*<sup>29</sup> observes that paternal involvement in parenting is slowly beginning to increase and concludes that the mother's role is significant in shaping the father's attitude towards parenting. Similarly, Adamsons and Pasley<sup>30</sup> investigate parental beliefs with regard to the importance of paternal involvement especially in parenting based on role level identity standards, and the importance of being a parent based on status level identity standards.

United Nations Children's Fund (UNICEF)<sup>31</sup> provides the novel ideal of enlightened fatherhood which consists of being present at the child's birth, having a close relationship with the children, cooperating with the partner or spouse and sharing the household duties. Similarly, Bianchi and Milkie<sup>32</sup> point out that in the first decade of the 21st century, work and family researchers put greater emphasis on men's or fathers' involvement in families which showed

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<sup>28</sup> Marcia J. Carlson, "Family Structure, Father Involvement, and Adolescent Behavioral Outcomes", *Journal of Marriage and Family*, Vol. 68, No. 1 (Feb., 2006): 137-154 <<https://www.jstor.org/stable/3600362>>

<sup>29</sup> Brent A. McBride, Geoffrey L. Brown, Kelly K. Bost, Nana Shin, Brian Vaughn and Byran Korth, "Paternal Identity, Maternal Gatekeeping, and Father Involvement", *Family Relations*, Vol. 54, No. 3 (Jul., 2005): 360-372 <<https://www.jstor.org/stable/40005290>>

<sup>30</sup> Kari Adamsons and Kay Pasley, "Fathering Identity Standards and Later Father Involvement", *Journal of Family Issues*, Vol. 37, No. 2, (2016): 221-244 <[10.1177/0192513X13514407](https://doi.org/10.1177/0192513X13514407)>

<sup>31</sup> UNICEF, *Fact Sheet: Enhancing Men's Roles and Responsibilities in the Family*, <[https://www.unicef.org/malaysia/Role\\_of\\_Fathers.pdf](https://www.unicef.org/malaysia/Role_of_Fathers.pdf)> viewed on April 13, 2019.

<sup>32</sup> Suzanne M. Bianchi and Melissa A. Milkie, "Work and Family Research in the First Decade of the 21st Century", *Journal of Marriage and Family*, Vol. 72, No. 3, (2010): 705-725 <[DOI:10.1111/j.1741-3737.2010.00](https://doi.org/10.1111/j.1741-3737.2010.00)>

an increase of their participation in housework. They further note an increase in the lone parent and dual earner families in the 21st century as well as excessive and rigid work hours that limit time for family life.

### The Muslim Family

Most of the works mentioned above do not include the Muslim modern family in light of the changes and transformation in marriage and the family institution particularly in the first decade of the 21st century. The writings generally provide only Western perspectives on the family transformation in marriage and single parenting households as well as gay marriages and women's participation in labour.

On the other hand, it is interesting to note that the traditional roles of husband and wife within a Muslim family structure have been well defined in many classical works by Muslim scholars. The classical Muslim jurists emphasize on the traditional family and marriage institution from pre-marriage relationship, duties of husband and wife, duties of parents and children, rights in a family relationship that are to be fulfilled and protected as well as protection of children's rights from the Shariah's perspective. Literature written on these subjects are mostly based on the four *madhahib*<sup>33</sup> which can be traced in many works, such as al-Kasani,<sup>34</sup> al-Sarakhsi,<sup>35</sup> Ibn Nujaym<sup>36</sup> of Hanafi *Madhhab*; al-Dardir,<sup>37</sup> al-Dusuqi,<sup>38</sup> Ibn Rush<sup>39</sup>

<sup>33</sup> Hassan Salleh, *Asas Kekeluargaan Islam: Bahasan Empat Mazhab: Syafie, Maliki, Hanafi, Hambali* (Dewan Kuala Lumpur: Bahasa dan Pustaka, 1989).

<sup>34</sup> 'Ali' al-Din Abi Bakr ibn Mas'ud Al-Kasani, *Bada'i' al-sana'i' fi tartib al-Shara'i'*, Vol. 2, 3 & 4 (Beirut: Dar al-Fikr, 1996/1417).

<sup>35</sup> Shams al-Din Al-Sarakhsi, *al-Mabsut*, Vol. 10 (Beirut Lebanon: Dar al-Ma'rifah, 1986/1406).

<sup>36</sup> Zayn al-Din ibn Ibrahim ibn Muhammad Ibn Nujaym, *Al-Bahr al-ra'iq sharh kanz al-daqa'iq*, Vol. 3 & 4 (Beirut-Lebanon: Dar al-Kutub al-'Ilmiyyah, 1997/1418).

<sup>37</sup> Abi al-Barakat Ahmad ibn Muhammad ibn Ahmad Al-Dardir, *Al-Sharh al-saghir 'ala aqrab al-masalik ila madhhab al-Imam Malik*, Vol. 2 & 4 (United Arab Emirate: Waziat al-'Adl wa al-Shu'un al-Islamiyyah wa al-Awqaf, 1989/1410).

of Maliki *Madhhab*; al-Shirazi,<sup>40</sup> al-Shirbini,<sup>41</sup> al-Ramli,<sup>42</sup> al-Dimyati<sup>43</sup> of Shafi'i *Madhhab*; as well as al-Bahuti<sup>44</sup> and Ibn Qudamah<sup>45</sup> of the Hanbali *Madhhab*. These writings provide the impression that rules relating to pre-marriage, marriage, roles and responsibilities of family members as well as children's rights and welfare in family relationships written by classical Muslim jurists serve as basic principles for guidance on the governance of the Muslim family and marriage institution.

Further writings on the family institution and marriage written by Muslim scholars in the 1970s such as Shalabi<sup>46</sup> in his *Ahkam al-Ussrah fi al-Islam* were similar to the philosophies of classical scholars. However, in line with the development of personal law during that time, Shalabi elaborates on the meaning of *al-Ahwal al-Shakhsiyyah* (personal law) which relates to rules and details on marriage and divorce. In the early nineties, Sha'aban<sup>47</sup> in *al-Ahkam*

<sup>38</sup> Shams al-Din al-Shaykh Muhammad 'Arafah Al-Dusuqi, *Hashiyat al-Dusuqi 'ala al-sharh al kabir*, Vol. 2 (Beirut-Lebanon: Dar al-Fikr, 1998/1419).

<sup>39</sup> Abu al-Walid Muhammad ibn Ahmad Ibn Rushd, *Bidayat al-mujtahid wa nihayat al-muqtasid*, Vol. 3 (Beirut Lebanon, Dar al-Ma'rifat, 2000/1420).

<sup>40</sup> Abu Ishaq Ibrahim ibn 'Ali ibn Yusuf Al-Shirazi, *Al-Muhadhdhab fi fiqh al-Imam al-Shafi'i*, 3rd Edition, Vol. 1 & 2 (Egypt: Sharikah Maktabah Wa Matba'ah Mustafa al-Babi al-Halabi wa Awladuhu, 1976/1396).

<sup>41</sup> Shams al-Din Muhammad ibn Ahmad Al-Shirbini, *Mughni al-muhtaj ila ma'rifat ma'ani alfaz al-minhaj*, Vol. 2 & 3 (Egypt: Sharikah Maktabah wa Matba'ah Mustafa al-Babi al-Halabi wa Awladuhu, 1933/1352).

<sup>42</sup> Shams al-Din Muhammad ibn Abi al-'Abbas Ahmad ibn Hamzah ibn Shihab al-Din Al-Ramli, *Nihayat al-muhtaj ila sharh al-minhaj*, Vol. 6 (Beirut-Lebanon: Dar al-Kutub al-'Ilmiyyah, 1993/1414).

<sup>43</sup> al-Sayyid al-Bakri Al-Dimyati, *Hashiyat i'anan al-talibin*, Vol. 3 (n.pp: Dar al-Fikr, n.d).

<sup>44</sup> Mansur ibn Yunus ibn Idris Al-Bahuti, *Kashshaf al-qina' 'an matn al-iqna'*, Vol. 5 (Beirut Lebanon: Dar al-Fikr, 1982/1402).

<sup>45</sup> Abi Muhammad Muwaffaq al-Din 'Abd Allah Muhammad Ibn Qudamah al-Maqdisi, *Al-Mughni*, Vol. 6 & 7 (Beirut, Lebanon: Dar al-Kutub al-'Ilmiyyah, 1994/1414).

<sup>46</sup> Muhammad Mustafa Shalabi, *Ahkam al-ussrah fi al-Islam; dirasah muqaranah bayna fiqh al-madhahib al-Sunniyyah wa al-madhahib al-Ja'fari wa al-qanun* (Beirut: Dar al-Nahdah al-'Arabiyyah, 1977/1397).

<sup>47</sup> Zakiuddin Sha'aban, *Al-Ahkam al-Shar'iyyah fi al-Ahwal al-Shar'iyyah*, 6<sup>th</sup> Edition (Banghazi: Jami'ah Qaryunus, 1992).

*al-Shar'iyah li al-Ahwal al-Syakhsiyyah* writes on a similar detailed account of Islamic personal law starting with the history of Islamic legal systems since the period of the Prophet (PBUH). The importance of Islamic personal law is highlighted with detailed discussions on the principles and rules relating to betrothal, marriage, rights and duties of husbands as well as children's rights in relation to marriage. Similar subjects were also written earlier by Abu Zahrah,<sup>48</sup> Abd al-Ati,<sup>49</sup> al-Zuhayli,<sup>50</sup> Khallaf<sup>51</sup> and al-Ashqar.<sup>52</sup>

It is interesting to note that despite numerous changes in the Western family, the new century has not changed much in terms of approach to the discussion on the challenges faced by the Muslim family in the postmodern era. For example, Uqlah<sup>53</sup> in his three volumes of *Nizam al-Usrah fi al-Islam* similarly discusses in detail the role of family as the first unit of society and the first institution that contains direct relationships among its members. He discusses extensive details which include the rights of parents and children, the formation of descent and lineage, proposal to a marriage and related rules, the rules relating to marriage contract (*'aqd*), husband's and wife's rights and duties, duty to pay dower and maintenance (*nafaqah*), rules relating to dissolution of marriage, as well as rights of children and relatives. Similarly, Zaydan<sup>54</sup> in his three volumes of *al-Mufassal fi al-Ahkam al-Mar'ah* similarly discusses the rules relating to marriage and betrothal as well as responsibilities of each family member in a family institution.

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<sup>48</sup> Muhammad Abu Zahrah, *al-Ahwal al-Shakhsiyyah* (Qahirah: Dar al-Fikr al-'Arabi, 1950).

<sup>49</sup> H. Abd al-Ati, *Family Structure in Islam* (United States: American Trust Publications, 1977).

<sup>50</sup> Wahbah Al-Zuhayli, *Al-Fiqh al-Islami wa adillatuhu*, Vol. 7 (Damshiq: Dār al-Fikr, 1989/1409).

<sup>51</sup> 'Abd al-Wahhab Khallaf, *Ahkam al-ahwal al-shakhsiyyah fi al-Shari'ah al-Islamiyyah*, 2<sup>nd</sup> Edition (Kuwait: Dar al-Qalam, 1990/1410).

<sup>52</sup> 'Umar Sulayman 'Abd Allah al-Ashqar, *Al-Wadih fi Sharh Qanun al-Ahwal al-Shakhsiyyah al-'Urduni Raqm 26 of 2010* (Amman: Dar al-Nafais, 2010).

<sup>53</sup> Muhammad 'Uqlah, *Nizam al-Usrah fi al-Islam*, Vol.1, 2, & 3 (Amman: Maktabat al-Risalah al-Hadithah, 2010).

<sup>54</sup> 'Abd al-Karim Zaydan, *Al-Mufassal fi Ahkam al-Mar'ah wa al-Bayt al-Muslim fi al-Shari'ah al-Islamiyyah*, 4th Edition, Vol. 6,7,8 (Beirut Lebanon: Muassasat al-Risalat, 2012/1433).

It is worth highlighting the fact that the theories of such rules and principles relating to the family institution and marriage were later applied in a number of Muslim countries such as Jordan, Algeria, Tunisia, Egypt and Morocco.<sup>55</sup> Those legal provisions to a certain extent empower the family institution. A similar situation can also be seen in Malaysia, where Ahmad Ibrahim<sup>56</sup> writes on strengthening the family by the introduction of Islamic family law in the early 1980s through the influence of Egypt's and Pakistan's models.

Although literature on the impact of the postmodern era in the Muslim world is scarce, it is interesting to highlight the work of Biri, Pendleton and Garland<sup>57</sup> where they investigate the attitude of men toward the role of women in Libya. A significant change in Libyan men's attitude toward the role of women is perceived as a sign of modernization. This includes the rise of women in education, employment in the modern service industry, participation in family decision-making, inclination of young and educated males to play a part in domestic tasks and approving women's participation in politics.

Ahmed and Donnan<sup>58</sup> and Meuleman<sup>59</sup> also scrutinize the cultural responses of Muslims in light of the transformations, contradictions and challenges which confront contemporary Islam as it moves towards the 21st century. The authors note the developments in population dispersion, cultural globalization and the forces of postmodernity which have spawned a debate among Muslims on their extensive consequences for the Muslim world as

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<sup>55</sup> Jamal J. Nasir, *The Islamic Law and Personal Status*, 3rd Edition (The Hague/London/New York: Kluwer Law International, n.d.).

<sup>56</sup> Ahmad Mohamed Ibrahim, *The administration of Islamic law in Malaysia* (Kuala Lumpur, Institute of Islamic Understanding Malaysia (IKIM), 2000).

<sup>57</sup> El-Waheshy Biri, Brian F. Pendleton and T. Neal Garland, "An Analysis of the Correlates of Men's Attitudes Toward Women's Roles in Libya", *International Journal of Sociology of the Family*, Vol. 21, No. 2, (1991): 129-144 <<https://www.jstor.org/stable/23029815>>

<sup>58</sup> Akbar S. Ahmed & Hastings Donnan (eds.), *Islam, Globalization and Postmodernity* (London: Routledge, 1994) <<https://doi-org/10.4324/9780203422137>>

<sup>59</sup> Johan Meuleman (ed.), *ISLAM IN THE ERA OF GLOBALIZATION: Muslim attitudes towards modernity and identity*, (Lndon & New York: Routledge, 2002).



well as for relations between Islam and the West. Although both works discuss challenges for Muslim women in the postmodern world, they do not specifically discuss the impact of globalization and postmodernity on the Muslim family institution.

Dhami and Sheikh<sup>60</sup> note that the Islamic approach is more conventional maintaining that the family institution is divinely inspired and marriage is its heart. They also explore the meaning of family for minority Muslims living in the West and find that the family institution remains strong although it confronts many pressures. On the same note, Osman Bakar<sup>61</sup> in his article on family values states that from the Islamic perspective, the family institution has multiple roles including the religious, educational and socio-economic aspects. It has the additional function of allowing man to appreciate his dual role of servitude (*'ubudiyah*) and vicegerency (*khilafah*) which encompasses his relationship with God and fellow men. It emphasizes that the “traditional family” is a bastion of human society and civilization. According to the author, “were the traditional family values and institution to be weakened and destroyed, the future survival of human civilization would be at stake”.

The relationship between the variables of empowerment of mothers and involvement of fathers in parenting in Bangladesh was examined by Murshid.<sup>62</sup> The study finds that older fathers with more education and wealth would participate greatly in the healthcare of their children. Alternatively, it was reported that when mothers were in charge of making a decision in the family, there was less involvement of fathers in caring for the children’s health. The

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<sup>60</sup> Sangeeta Dhami & Aziz Sheikh, “The Muslim family: predicament and promise”, *Western Journal of Medicine*, Vol. 173, No. 5, (2000): 352-356 <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1071164/pdf/wjm17300352.pdf>> viewed on 21 April 2019.

<sup>61</sup> Osman Bakar, “Family values, the family institution, and the challenges of the twenty-first century: An Islamic perspective”, *Islam and Civilisational Renewal ICR Journal*, Vol. 3, No. 1 (2011): 12-36.

<sup>62</sup> Nadine Shaanta Murshid, “Children and Youth Services Review Mothers’ Empowerment and Father Involvement in Child Health Care in Bangladesh”, *Children and Youth Services Review*, Vol. 68, (2016): 17–23 <<http://dx.doi.org/10.1016/j.chilyouth.2016.06.026>>

findings thus suggest that intricate gender dynamics in the family institution are possibly affected by reasons of patriarchy and conventional gender roles which may have an effect on parents' involvement in caring for their children's health.

Abd Rahman and Uddin<sup>63</sup> in their studies point out that sociologists describe the process of globalization as a cultural and intellectual assimilation where it promotes the combination of socio-cultural, political and economic systems of states into global ones. They note that globalization has positive and negative impacts on society but it initiates changes that are not in line with the intellectual and ideological foundations of Muslim societies.

Tok, Alkhater and Pal<sup>64</sup> investigate methods for designing public policy in Qatar<sup>65</sup> and point out that the process is not without contradictions and tensions, especially in striking a balance between the Islamic religion, social customs and modernity. They demand better policy regarding the family institution especially in being cognizant of its impact on the family either explicitly or implicitly, while addressing different kinds of families and their effects on the wellbeing of the individual members.

### **Concluding Remarks**

The previous discussions in Part 2 have highlighted literature that focuses on changes to the family institution in both jurisdictions. Brotherson and Duncan<sup>66</sup> examine the efforts of governments in the past years in order to enhance the marriage institution through a range of methods. They rightly point out that societal trends concerning the establishment of family, marriage and divorce have

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<sup>63</sup> Saodah Abd. Rahman & Md. Sayed Uddin, "The Impact of Globalization on Family Values", *International Journal of Advanced Research*, Vol. 5, No.8 (2017): 986-977 <10.21474/IJAR01/5143>

<sup>64</sup> M. Evren Tok, Lolwah R. M. Alkhater, & Leslie A. Pal, *Policy-Making in a Transformative State: The Case of Qatar* (London: Palgrave Macmillan, 2016) <<https://doi.org/10.1057/978-1-137-46639-6>>

<sup>65</sup> a state in a rapid process of radical economic and societal transformation

<sup>66</sup> Sean E. Brotherson & William C. Duncan, "Rebinding the Ties That Bind: Government Efforts to Preserve and Promote Marriage", *Family Relations*, Vol. 53, No. 5 (2004): 459-468 <<https://www.jstor.org/stable/20456762>>

basically affirmed the importance of marriage and its steadfastness as a significant social institution, and there are efforts by the public sector to focus on crucial phases in the development of the family system involving several aspects of marriage.

According to most literature, another way forward proposed for the transformation is in the empowerment of the family. “Empowerment” is described by Rappaport,<sup>67, 68, 69</sup> and Katz<sup>70</sup> as a process where people obtain control and mastery over life as well as participate in a democracy and community life. It is a multi-level construct applicable not only to individual citizens but also to organizations and communities. Zimmerman and Rappaport<sup>71</sup> accurately point out that empowerment is more than one’s beliefs regarding individual control and mastery. They propose that it should also include psychological empowerment which appears to be the combination of beliefs and actions that integrate a person into the community. In their studies, Perkins and Zimmerman<sup>72</sup> highlight the fundamental elements of the empowerment process.

An empowerment approach can also be seen in the works which propose strengthening the family institution as a result of changes in family life. Many works at the international level focus on

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<sup>67</sup> Julian Rappaport, “In praise of paradox: A social policy of empowerment over prevention”, *American Journal of Community Psychology*, Vol. 9, No. 1 (1981):1-25 <<https://doi.org/10.1007/BF00896357>>

<sup>68</sup> Julian Rappaport, “Studies in empowerment: Introduction to the issue”, *Journal Prevention in Human Services*, Vol.3, issue 2-3 (1984): 1–7 , <[https://doi.org/10.1300/J293v03n02\\_02](https://doi.org/10.1300/J293v03n02_02)>

<sup>69</sup> Julian Rappaport, “Terms of empowerment/exemplars of prevention: Toward a theory for community psychology”, *American Journal of Community Psychology*, Vol. 15, No. 2 (1987): 121-148 <<https://doi.org/10.1007/BF00919275>>

<sup>70</sup> Richard Katz, “Empowerment and Synergy Expanding the Community’s Healing Resources”, *Journal Prevention in Human Services*, Vol. 3, Issue 2-3 (1984): 201-226 <[https://doi.org/10.1300/J293v03n02\\_10](https://doi.org/10.1300/J293v03n02_10)>

<sup>71</sup> Marc A. Zimmerman & Julian Rappaport, “Citizen participation, perceived control, and psychological empowerment”, *American Journal of Community Psychology*, Vol. 16, Issue 5 (1988): 725–750 <<https://doi.org/10.1007/BF00930023>>

<sup>72</sup> Douglas D. Perkins & Marc A. Zimmerman, “Empowerment theory, research, and application”, *American Journal of Community Psychology*, Vol 23, No. 5 (1995): 569-579 <<https://doi.org/10.1007/BF02506982>>

the need to form welcoming public policies on the family and to acknowledge that the family plays an important role in strengthening communities. The United Nations<sup>73</sup> provides policy guidance on ways to support policies and programmes that are family-focused. They stress on the significance of delivering aid to families so that they can play the role of supporting, educating and nurturing by endorsing the social policies and programmes that can fulfil the needs of every member.

A study by Roylance & *et al.*<sup>74</sup> demonstrates ways the family's distinctive fortes or “family capital” are to be employed for the purpose of attaining the Millennium Development Goals (MDGs). “Family capital” is seen as the resource that can be brought by the family unit towards achieving significant goals in society.

The notion of family well-being as an aim of family policy should be the priority as has been highlighted by a number of writings. Zimmerman<sup>75</sup> points out that a family policy refers to government actions that have effect on families whether it is direct or indirect, explicit or implicit, and deliberate or not. Along the same line, Robila<sup>76</sup> provides a complete analysis of family policies globally which emphasize marriage, parenting, and work-family balance as well as support services for families at risk.

In the Muslim world, rigorous efforts have also been made in empowering families. Doha International Family Institute (DIFI) and The United Nations Population Fund Arab States Regional Office (UNFPA ASRO)<sup>77</sup> report on numerous efforts at international and

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<sup>73</sup> United Nations, *Men in Families and Family Policy in a Changing World*, (New York, United Nations, 2011) <<https://www.un.org/esa/socdev/family/docs/men-in-families.pdf>> viewed on 21 April 2019.

<sup>74</sup> Roylance & *et al.*, *The Family & the MDGs Using Family Capital to Achieve the Millennium Development Goals*, <https://www.difi.org.qa/publications/the-family-and-the-mdgs/>, viewed on 20 April 2019.

<sup>75</sup> Shirley L. Zimmerman, *Conceptualizing Family Well-Being in Family Well-Being*, edited by Moreno Minguez A, Social Indicators Research Series, Vol 49 (Springer: Dordrecht, 2013), 9-25.

<sup>76</sup> Mihaela Robila, *Family Policies Across the Globe: Development, Implementation, and Assessment in Handbook of Family Policies Across the Globe*, edited by Mihaela Robila (Springer: New York, 2014).

<sup>77</sup> Doha International Family Institute (DIFI), The United Nations Population Fund

regional levels that emphasize the significance and the ways for the family institution to achieve sustainable development goals (SDGs).

From the viewpoint of international family, DIFI<sup>78</sup> examines the Arab family's strengths in confronting various challenges associated with social, financial and health aspects.

An organ of OIC, the Statistical, Economic and Social Research and Training Centre for Islamic Countries (SESRIC)<sup>79</sup> reports on the state of gender equality and family well-being in the member states of the Organization of Islamic Cooperation (OIC). It confirms that there is a large gender disparity in education between two groups, namely, OIC Member States and other countries. They observe that the fertility rates in OIC Member States are greater compared to the world average which shows that women in OIC Member States are pressured into having children. SESRIC<sup>80</sup> also examines various relevant indicators as well as current and upcoming trends that impact family and marriage institutions in Muslim countries.

This was later followed by the first Ministerial OIC Conference on Marriage and Family Institution and Preservation of its Values in February 2017 which had initiated workshops to pass resolutions and outline the steps to implement it.

In conclusion, discussions on the above-mentioned literature highlight the importance of family values as an anchor for the stability of marriage and the family institution within its postmodern

Arab States Regional Office (UNFPA ASRO), Expert Group Meeting Doha, November 29-30, 2017, "Integrating a Family Perspective in the Sustainable Development Goals (SDGs) in Arab Countries: Aspirations and Challenges" <https://www.difi.org.qa/publications/integrating-a-family-perspective-in-the-sustainable-development-goals-sdgs-in-arab-countries-aspirations-and-challenges/> viewed on 20 April 2019

<sup>78</sup> Doha International Family Institute, *The Arab Family Strength in Qatar, Jordan, and Tunisia*, (Doha, Qatar, 2019) <doi: 10.5339/difi\_9789927137839>

<sup>79</sup> The Statistical, Economic and Social Research and Training Centre for Islamic Countries (SESRIC), *State of Gender and Family Well-Being in OIC Member Countries* <<http://www.sesric.org/files/article/505.pdf>> viewed on March 24, 2019.

<sup>80</sup> Statistical, Economic and Social Research and Training Centre for Islamic Countries (SESRIC), *Safeguarding family values and the marriage institution in OIC countries: How are the families and marriage changing in the new millennium*, (Ankara-Turkey: SESRIC, 2017).

transformative roles. In this regard, the literature has also shown that Western and Muslim countries have made significant efforts towards empowering families. Thus, in this context it is imperative to seriously address the current and future emerging challenges that adversely affects the family well-being and function in order to better design family policies that can empower and strengthen the family institution in the future. It is therefore important to stay constantly alert and aware of their current status in order to foresee changes in ways of safeguarding the family institution.

### **ACKNOWLEDGEMENT**

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## TRANSLITERATION TABLE

### CONSONANTS

Ar=Arabic, Pr=Persian, OT=Ottoman Turkish, Ur=Urdu

Ar	Pr	OT	UR	Ar	Pr	OT	UR	Ar	Pr	OT	UR	
ء	ء	ء	ء	ز	z	z	z	گ	—	g	g	g
ب	b	b	b	ژ	—	—	ʀ	ل	l	l	l	l
پ	—	p	p	ژ	—	zh	j	م	m	m	m	m
ت	t	t	t	س	s	s	s	ن	n	n	n	n
ث	—	—	ṭ	ش	sh	sh	ş	ه	h	h	h <sup>1</sup>	h <sup>1</sup>
ث	th	th	th	ص	ş	ş	ş	و	w	v/u	v	v/u
ج	j	j	c	ض	ḏ	ḏ	ḏ	ی	y	y	y	y
چ	—	ch	çh	ط	ṭ	ṭ	ṭ	ة	-ah	—	—	-a <sup>2</sup>
ح	ḥ	ḥ	ḥ	ظ	ẓ	ẓ	ẓ	ال	al <sup>3</sup>	—	—	—
خ	kh	kh	kh	ع	‘	‘	‘	—	—	—	—	—
د	d	d	d	غ	gh	gh	ğh	—	—	—	—	—
ڈ	—	—	d	ف	f	f	f	—	—	—	—	—
ذ	dh	dh	dh	ق	q	q	q	—	—	—	—	—
ر	r	r	r	ك	k	k/g	k/ñ	—	—	—	—	—

<sup>1</sup> – when not final

<sup>2</sup> – at in construct state

<sup>3</sup> – (article) al - or l-

### VOWELS

	Arabic and Persian	Urdu	Ottoman Turkish
Long	ا	ā	ā
	آ	Ā	—
	و	ū	ū
	ي	ī	ī
Doubled	ي	iy (final form ī)	iy (final form ī)
	و	uww (final form ū)	uvv
	و	uvv (for Persian)	uvv
Diphthongs	و	au or aw	ev
	ی	ai or ay	ey
Short	ا	a	a or e
	ا	u	u or ū
	ا	i	o or ö
	ا	i	i

### URDU ASPIRATED SOUNDS

For aspirated sounds not used in Arabic, Persian, and Turkish add h after the letter and underline both the letters e.g. جھ jh گھ gh

For Ottoman Turkish, modern Turkish orthography may be used.

# AL-SHAJARAH

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